

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KARIN J. BLACK , individually and on behalf of the Classes,)	2:10cv848
)	Electronic Filing
Plaintiff,)	Judge David Stewart Cercone
)	Magistrate Judge Lisa Pupo Lenihan
v.)	
JP MORGAN CHASE & CO., et al. ,)	ECF No. 28
)	
Defendants.)	
)	

MEMORANDUM ORDER

The Complaint in the above captioned case was received by the Clerk of Court on June 24, 2010, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Rules of Court 72.C and 72.D.

The Magistrate Judge's Report and Recommendation (ECF No. 86), filed on August 25, 2011, recommended that the Motion to Compel Arbitration or, in the Alternative, to Dismiss the Complaint (ECF No. 28) filed by Defendant Discover Financial Services, be granted with regard to the motion to compel arbitration and denied as moot with regard to the motion to dismiss. Service was made on all counsel of record. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, they had fourteen (14) days to file objections. No objections were filed to the Report and Recommendation.

After review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 14th day of September, 2011,

IT IS HEREBY ORDERED that the Motion to Compel Arbitration filed by Defendant Discover Financial Services (ECF No. 28) is **GRANTED**.

IT IS FURTHER ORDERED that Discover Financial Services' Motion to Dismiss the Complaint, filed in the alternative, is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that the present action is stayed as to the claims against Discover Financial Services. A separate order administratively closing this case will be entered.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 86) of Magistrate Judge Lenihan, dated August 25, 2011, is adopted as the opinion of the Court.

s/ David Stewart Cercone
David Stewart Cercone
United States District Judge

cc: Matthew L. Kurzweg, Esquire
Arthur H. Stroyd, Jr., Esquire
Matthew T. Logue, Esquire
Peter E. Greene, Esquire
Peter S. Julian, Esquire
Mark S. Melodia, Esquire
Thomas L. Allen, Esquire
Alan S. Kaplinsky, Esquire
Burt M. Rublin, Esquire
Carl G. Roberts, Esquire
Mark D. Shepard, Esquire
Davis H. Suggs, Esquire
Jack E. Pace, Esquire
Robert A. Milne, Esquire
Dennis A. Watson, Esquire
James K. Gardner, Esquire
George E. Yokitis, Esquire
Gregory B. Mauldin, Esquire
Peter Kontio, Esquire
Teresa T. Bonder, Esquire
Michael G. Connelly, Esquire
Michelle S. Grant, Esquire
Wendelynne J. Newton, Esquire
Bradley J. Kitlowski, Esquire
Gretchen L. Jankowski, Esquire

(Via CM/ECF Electronic Mail)